



PTO/SB/21 (01-08)

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TRANSMITTAL FORM		Application Number	10/596,627
(to be used for all correspondence after initial filing)		Filing Date	June 19, 2006
		First Named Inventor	Heinz Von Der Kammer
		Art Unit	1637
		Examiner Name	T. E. Strzelecka
Total Number of Pages in This Submission		Attorney Docket Number	37998-237368

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Restriction/Election Requirement
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	VENABLE LLP		
Signature			
Printed name	Matthew E. Kelley		
Date	June 11, 2008	Reg. No.	55,887



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Von Der Kammer *et al.*

Art Unit: 1637

Application No: 10/596,627

Examiner: Teresa E. Strzelecka

Confirmation No: 8551

Filed: June 19, 2006

Atty. Docket No: 37998-237368

For: DIAGNOSTIC AND THERAPEUTIC USE
OF THE HUMAN HIF3ALPHA GENE
AND PROTEINS FOR
NEURODEGENERATIVE DISEASES

Customer No:

26694

PATENT TRADEMARK OFFICE

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the election requirement set forth in the Office Action mailed May 15, 2008, Applicant hereby provisionally elects the following species for continued examination without traverse:

- (1) Election of Invention Group VII (encompassed by claims 11, 12, 25, 26)
- (2) Election of species SEQ ID No. 4 (splice variant sv3 as encompassed by claims 11, 12, 25, 26)